IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6753 OF 2006

Narendra Mukund Bhatkar ...Petitioner

V/s.

State of Maharashtra & Ors. ...Respondents

Mr.R.K. Mendadkar for the Petitioner.

Mr.R.D Rane, Government Pleader, for the Respondents.

CORAM : H.S. BEDI, C.J., &
V.M. KANADE, J.

DATED : OCTOBER 12, 2006.

P.C. :-

1. Mr.Rane, learned Government Pleader, on instructions from the respondents has pointed out that the petitioner has sent a proposal for scrutiny of his tribe claim to the Committee on 11th September, 2006 alongwith a letter dated 31st December, 2004 of the Associate Superintendent, Sir J.J. Group of Hospitals and the same has been received in the office of the Scrutiny Committee on 11th September, 2006 and not on 13th December, 2004 as averred.

2. Be that as it may, we find that the petitioner's service

needs to be protected till the Scrutiny Committee takes a decision on the validity of the caste certificate.

3. We, accordingly, direct that the petitioner's services should not be disturbed and that he would be continued as on duty till a final decision is taken in the matter.

4. We also clarify that in case the decision of the Scrutiny Committee happens to be adverse to the petitioner, the same shall not be given effect to for a period of three weeks from the date of communication of the order to the petitioner.

. Writ Petition is disposed of accordingly.

CHIEF JUSTICE

V.M. KANADE, J.